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7 **UNITED STATES DISTRICT COURT**  
8 **WESTERN DISTRICT OF WASHINGTON**  
9  
10 **AT SEATTLE**

11 **CLIFF ROBINSON,** ) Case No.  
12 )  
13 Plaintiff, ) **COMPLAINT**  
14 )  
15 vs. )  
16 )  
17 **ALLIED INTERSTATE, INC.,** ) **JURY TRIAL DEMANDED**  
18 )  
19 Defendant. )  
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18 **I. NATURE OF ACTION**

19 1. This is an action for damages brought by an individual consumer for  
20 Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §  
21 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington,  
22 Chapter 19.16, both of which prohibit debt collectors from engaging in abusive,  
23 deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of  
24 privacy by intrusion, ancillary to Defendant's collection efforts.  
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Complaint - 1

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## II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

## III. PARTIES

3. Plaintiff, Cliff Robinson, is a natural person residing in the State of Washington, County of King, and City of Federal Way.

4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).

5. At all relevant times herein, Defendant, Allied Interstate, Inc., (“Defendant”) was a limited liability company engaged, by use of the mails and telephone, in the business of attempting to collect a “debt” from Plaintiff, as defined by 15 U.S.C. §1692a(5).

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).

## IV. FACTUAL ALLEGATIONS

7. At various and multiple times prior to the filing of the instant complaint, including within the one hundred twenty days preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant’s conduct violated the FDCPA and RCW § 19.16 in multiple ways, including but not limited to:

1 a) Communicating with Plaintiff at times and places which  
2 were known or which should have been known to be  
3 inconvenient to Plaintiff, including repeated calls to his  
4 business line after Plaintiff requested that such calls cease (§  
1692c(a)(1));

5 b) Threatening to take actions that cannot legally be taken or  
6 that are not intended to be taken, including threatening to report  
7 the debt to Plaintiff's credit report (§ 1692e(5)).

8 9. Defendant's aforementioned activities, set out in paragraph 8, also  
9 constitute an intentional intrusion into Plaintiff's private places and into private  
10 matters of Plaintiff's life, conducted in a manner highly offensive to a reasonable  
11 person. With respect to the setting that was the target of Defendant's intrusions,  
12 Plaintiff had a subjective expectation of privacy that was objectively reasonable  
13 under the circumstances.  
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16 10. As a result of Defendant's behavior, detailed above, Plaintiff  
17 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
18 embarrassment, mental anguish and emotional distress.  
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21 **COUNT I: VIOLATION OF FAIR DEBT**  
22 **COLLECTION PRACTICES ACT**

23 11. Plaintiff reincorporates by reference all of the preceding paragraphs.  
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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Statutory damages;
- D. Costs and reasonable attorney's fees; and,
- E. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY**

**ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON**

**CONSUMER PROTECTION ACT**

12. Plaintiff reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- B. Actual damages;
- C. Discretionary Treble Damages;
- D. Costs and reasonable attorney's fees,
- F. For such other and further relief as may be just and proper.
- G.

**COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION**

13. Plaintiff reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Actual damages
- B. Punitive Damages; and,
- C. For such other and further relief as may be just and proper.

Respectfully submitted this 21st day of May, 2008.

s/Jon N. Robbins  
Jon N. Robbins  
WEISBERG & MEYERS, LLC  
Attorney for Plaintiff